

FILED

MAR 19 2007

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

WOODROW REED HULL,

Defendant - Appellant.

No. 06-30014

D.C. No. CR-05-00067-RRB
District of Alaska,
Anchorage

ORDER

RECEIVED
MAR 21 2007
CLERK, U.S. DISTRICT COURT
ANCHORAGE, A.K.

Before: Peter L. Shaw, Appellate Commissioner

Appellant's opening brief was due March 24, 2006. On September 27, 2006, the court ordered appellant's appointed counsel, Mark A. Rosenbaum, Esq., to file the opening brief within 14 days and file a motion for relief from default. Counsel did not comply. On November 14, 2006, the court gave counsel Rosenbaum one final opportunity to prosecute the appeal. The court ordered counsel, within 14 days, to file the opening brief, excerpts of record, and a motion for relief from default. Alternatively, the court ordered counsel to file a motion under Ninth Circuit Rule 4-1(c) within 14 days to be relieved as counsel and for appointment of new counsel, if counsel was unable to prosecute this appeal. The court warned that failure to respond timely to the order might result in the

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imposition of sanctions on counsel, a determination deeming counsel ineligible to receive appellate appointments under the Criminal Justice Act, and no compensation to counsel under the Criminal Justice Act for this representation. To date, counsel has not complied with the court's orders.

The court, on its own motion, relieves Mark A. Rosenbaum, Esq., 4940 Byrd Lane, Suite 100, Anchorage, Alaska 99502, (907) 243-2400, as appellant's counsel of record. New counsel will be appointed by separate order. No compensation shall be awarded to counsel Rosenbaum under the Criminal Justice Act for this representation.

The Clerk shall serve a copy of this order on Richard Curtner, Federal Public Defender, 601 West Fifth Avenue, Suite 800, Anchorage, Alaska 99501-2221, who will locate appointed counsel. The district court shall provide the Clerk of this court with the name and address of appointed counsel by facsimile transmission (FAX: (415) 355-8111) within 14 days of locating counsel.

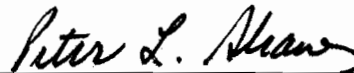
New counsel shall designate the reporter's transcript by May 1, 2007. The transcript is due May 31, 2007. Appellant's opening brief and excerpts of record

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are due July 10, 2007; appellee's answering brief is due August 9, 2007; and the optional reply brief is due within 14 days after service of the answering brief.

Within 14 days after the date of this order, Mark A. Rosenbaum, Esq., shall show cause in writing why this court should not impose on counsel Rosenbaum monetary sanctions not less than \$1,000.00 and deem counsel Rosenbaum ineligible to receive appellate appointments under the Criminal Justice Act. Failure to file a timely response or to provide an adequate explanation may result in the imposition of sanctions without further notice.

The Clerk shall serve this order on former counsel Rosenbaum by certified mail (return receipt requested).



General Order 6.3(e)